

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HARRY SEYMOUR,

Plaintiff,

v.

UMASS CORRECTIONAL HEALTH CARE,
et al.,

Defendants.

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C.A. No. 14-12688-IT

ORDER

TALWANI, D.J.

Harry Seymour was a named plaintiff in *Stote v. UMass Correctional Health*, C.A. No. 13-10267-NMG, a civil rights action filed by MCI Norfolk inmate John E. Stote in which he and over one hundred other prisoners claimed that medical care at MCI Norfolk was inadequate.

In an order dated June 25, 2014, the Court ordered that the claims of each plaintiff be severed and that a separate case be opened up for each individual plaintiff. *See id.* (docket entry #20). The order directed each plaintiff who wanted to prosecute his own claims to pay the \$400 filing fee or file an Application to Proceed in District Court Without Prepaying Fees or Costs (also referred to as motion for leave to proceed *in forma pauperis*) within sixty days and that the failure to pay the fee or seek leave to proceed without payment of the fee may result in dismissal of the individual action without prejudice. The Clerk mailed a copy of Judge Gorton's order and the form Application to Seymour at MCI Norfolk in June 2014.

After the sixty-day period for responding to Judge Gorton's order had expired without a response from Seymour, the Clerk checked the public web page vinelink.com and discovered that Seymour had been transferred to the Souza-Baranowski Correctional Center ("SBCC"). On September 26, 2014, the Clerk mailed to Seymour at SBCC a copy of Judge Gorton's order, a form Application, relevant portions of the complaint, and a cover letter explaining that he needed to indicate whether he wanted to prosecute his claims. Seymour has not responded to this communication.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. No filing fee shall be assessed.

IT IS SO ORDERED.

1/29/2015
DATE

/s/ Indira Talwani
UNITED STATES DISTRICT JUDGE